

FILED

MAR 09 2017 DB

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

CRAIG CUNNINGHAM, Pro-se)

Plaintiff)
v.) CIVIL ACTION NO.: 3:16-cv-02921
)

Sunshine Consulting Group, LLC et al)

Defendants.

Plaintiff's Motion to Dismiss the Sunshine Consultation Services, LLC and Sunshine Consulting Group, LLC WITHOUT prejudice

1. To the honorable US District Court:

MOTION TO DISMISS FOR SUNSHINE CONSULTATION SERVICES, LLC

2. The Plaintiff conferred with Matthew Leibert on 2/24/2017 regarding a motion to dismiss, and the Plaintiff stated that if they were arguing a lack of personal jurisdiction, that he would dismiss the case and refile it in Florida where they can't contest personal jurisdiction. Matthew Leibert stated "*Ok, yes, dismiss them out and refile in Florida*" Before the Plaintiff had an opportunity to do this, the Defendants filed their motion to Dismiss.
3. Pursuant to an agreement between the parties, the Plaintiff seeks to dismiss the claims against Defendant Sunshine Consultation Services, LLC as the Plaintiff intends to pursue them against the defendant in Florida.

MOTION TO DISMISS SUNSHINE CONSULTING GROUP, LLC

4. Similarly, the Plaintiff seeks to dismiss his claims against Sunshine Consulting Group, LLC without prejudice to pursue those claims in California against the

Defendants as they too are arguing the court has no personal jurisdiction, and they can't make such an argument in their home jurisdiction. By filing a motion to dismiss complaining of a lack of personal jurisdiction, they are inviting the Plaintiff to sue them in California, which the Plaintiff seeks to oblige.

Conclusion

5. As the Defendants are claiming no personal jurisdiction exists, the court should grant the Plaintiff's motion to dismiss without prejudice.



Craig Cunningham
Plaintiff,

5543 Edmondson Pike ste 248
Nashville, TN 37211
3/09/2017

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

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Plaintiff)
v.)
) CIVIL ACTION NO.: 3:16-cv-02921
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Defendants.

Plaintiff's Certificate of Service

I hereby certify that a true copy of the foregoing was mailed to the following via USPS First Class mail on 3/9/2017

Constance Mann, 1107 Battlewood Street, Franklin, TN 37069
Elaina S. Al-Nimri, Bass Berry, and Sims, 150 Third Ave. South, ste 2800, Nashville, TN 37201.



Craig Cunningham
Plaintiff,

5543 Edmondson Pike, ste 248
Nashville, TN 37211
615-348-1977
3/9/2017

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

CRAIG CUNNINGHAM, Pro-se)
Plaintiff)
v.)
Sunshine Consulting Group, LLC et al)
Defendants.

Order

The Plaintiff's Motion to Dismiss without prejudice is hereby Granted/Denied

Date _____

Judge _____